



H.R. 1286 – Washington-Rochambeau Revolutionary Route National Historic Trail Designation Act

EXECUTIVE SUMMARY

This legislation was introduced by Representative Maurice Hinchey (D-NY) on March 1, 2007. The bill was ordered to be reported, as amended, by voice vote of the House Committee on Natural Resources on June 25, 2008. H.R. 1286 is expected to be considered on the floor of the House under a structured rule on July 10, 2008.

H.R. 1286 amends the National Trails System Act (P.L. 90-543) to designate the “Washington-Rochambeau Revolutionary Route National Historic Trail” as a National Historic Trail. The bill directs the Secretary of the Interior to manage the trail, in consultation with the private sector and other Federal, State and local agencies. H.R. 1286 does not allow any private land to be acquired for the trail without the consent of the owner of the land or interest in the land.

The Washington-Rochambeau Revolutionary Route National Historic Trail is a corridor of approximately 600 miles between Newport, Rhode Island and Yorktown, Virginia which follows the path taken by the armies of General George Washington and Count Rochambeau during the American Revolutionary War. The National Trails System Act (P.L. 90-543) created the National Trails System (NTS) in 1968. Trails included in this system are intended to promote the preservation of, public access to, and enjoyment and appreciation of outdoor areas and historic resources of the United States.

The Congressional Budget Office (CBO) estimates that implementing H.R. 1286 “would cost about \$2 million over the 2009-2013 period.”

FLOOR SITUATION

H.R. 1286 is expected to be considered on the floor of the House on July 10, 2008. The bill is being considered on the floor under a structured rule. The rule:

- Provides one hour of general debate equally divided and controlled by the Chairman and Ranking Minority Member of the Committee on Natural Resources;
- Waives all points of order against consideration of the bill except for clauses 9 (regarding earmark disclosure) and 10 (regarding PAYGO) of rule XXI;
- Provides that the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, modified by the amendment printed in Part A of the Rules Committee report, shall be considered as an original bill for the purpose of amendment and shall be considered as read;
- Waives all points of order against the amendments printed in Part B of the Rules Committee report accompanying the resolution;
- Provides that the amendments made in order in Part B may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole;
- Waives all points of order against the amendments printed in the report except for clauses 9 and 10 of Rule XXI;
- Provides one motion to recommit with or without instructions; and
- Provides that, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.



LEGISLATIVE DIGEST

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**Note: A self-executing amendment to the bill is included in the Rule. This amendment will become part of the text of H.R. 1286 if the Rule is passed by the House of Representatives. The amendment will not receive independent consideration on the House floor.*

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SUMMARY

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The bill directs the Secretary of the Interior to manage the trail, in consultation with the private sector and other Federal, State and local agencies. H.R. 1286 does not allow any private land to be acquired for the trail without the consent of the owner of the land or interest in the land.

An amendment by Rep. Rob Wittman (R-VA) which was agreed to Committee markup, and is reflected in this bill, specifies that nothing in this legislation prohibits or hinders the development, production or transmission of energy in the affected region.

BACKGROUND

The Washington-Rochambeau Revolutionary Route National Historic Trail is a corridor of approximately 600 miles between Newport, Rhode Island and Yorktown, Virginia which follows the path taken by the armies of General George Washington and Count Rochambeau during the American Revolutionary War. Count Rochambeau landed with his French army in Rhode Island and led his troops to New York where he joined with General Washington's forces. The two armies then marched to Yorktown, Virginia where they defeated the British troops of General Cornwallis, in the final battle of the war in 1781.

The National Trails System Act (P.L. 90-543) created the National Trails System (NTS) in 1968. Trails included in this system are intended to promote the preservation of, public access to, travel within, and enjoyment and appreciation of outdoor areas and historic resources of the United States. NTS trails are administered by various agencies of the Department of the Interior.

The trail designated in H.R. 1286 is a National Historic Trail. These trails commemorate historic routes of travel that are of significance to the entire Nation, and must be established by an Act of Congress. Only those land and water components of a National Historic Trail which are already on Federal lands and that meet the national historic trail criteria are included as Federal protection components of a National Historic Trail. Examples of other National Historic Trails include the Oregon National Historic Trail and the Lewis and Clark National Historic Trail.

[National Park Service - National Trails System](#)

AMENDMENTS

Self Executing Amendment included in the Rule: The amendment provides that the bill does not in any way limit access for hunting, fishing, trapping or recreational shooting. It also provides that the bill does not in any way infringe on a State's right to manage, control or regulate its hunting, fishing, trapping and recreational shooting activities on these lands.

Summary of Amendments Made in Order:

- 1) Rep. Bob Bishop (R-UT): Would amend the language in the bill prohibiting the use of eminent domain by the Federal government to specifically prohibit the Federal government from



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acquiring, for the trail, from the State or local governments, land acquired by a State or local government through its own use of eminent domain.

2) Rep. Stevan Pearce (R-NM): Would require the Secretary to complete and submit to Congress a report on the energy resources included in the Washington-Rochambeau Revolutionary Route National Historic Trail.

COST

The Congressional Budget Office (CBO) estimates that implementing H.R. 1286 "would cost about \$2 million over the 2009-2013 period." [Full CBO Cost Estimate](#)

STAFF CONTACT

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